

**United States Department of the Interior
Bureau of Land Management**

**Decision Record
Environmental Assessment
DOI-BLM-UT-Y020-2014-023**

August, 2014

**Monticello Field Office Commercial Hunting Guide Outfitter
Special Recreation**

Location: Monticello BLM, Office Wide

Applicant/Address: BLM Monticello Field Office

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DECISION RECORD

Environmental Assessment DOI-BLM-UT-Y020-2014-023

Monticello Field Office Commercial Hunting Guides and Outfitters Special Recreation Permits

ACTION ANALYZED:

The BLM Monticello Field Office proposed to authorize Special Recreation Permits (SRPs) for commercial hunting tours within the San Juan Hunting Unit on lands managed by the Monticello Field Office. In order to evaluate the entire SRP program for commercial outfitters and guides the field office completed a programmatic analysis of existing and projected use.

Total Use Numbers Considered in the Analysis

Based on the use MtFO commercial outfitters had during the years 2009-2013, reasonable projected future use numbers included in this proposed action are listed below.

Number of Permittees

- Permittees 26

Client days

- User days 256

Total Client Use Days Considered for this Analysis

- 26 permittees x 256 client days each per year = 6,656

DECISION:

It is my decision to authorize the issuance of Special Recreation Permits (SRPs) for commercial hunting tours within the San Juan Hunting Unit on lands managed by the Monticello Field Office. The season of operation for the approved permits will be year round based on the defined hunting seasons as set by Utah Division of Wildlife Resources (UDWR) and the area of authorized use will include the Monticello Field Office area as permitted by UDWR. Dispersed camping will be authorized in previously disturbed areas within 150 feet of designated routes.

INTRODUCTION:

The Bureau of Land Management (BLM) has conducted an environmental analysis documented in EA-DOI-BLM-UT-Y020-2014-023 (EA) for a proposed action to issue Special Recreation Permits (SRPs) for commercially guided hunting within the Monticello BLM field area. SRPs may be issued for up to 10 years subject to annual validation. Hunting use is common on public

lands throughout the State of Utah. The underlying need for the proposal would be met while accomplishing the following objectives:

1. The Federal Land Policy and Management Act of 1976 (FLPMA) mandates multiple use of public lands, including recreation use. One type of valid recreation use is responsibly guided hunting. The BLM SRP regulations at 43 CFR 2930 provide for SRPs to be issued on public lands. The purpose of the EA was to analyze permitted commercially guided hunting in the Monticello Field Office.
2. Special Recreation Use permits for commercial guiding is recognized as an appropriate use of public lands in the Record of Decision and Approved Monticello Field Office Resource Management Plan and Record of Decision.

Authorities: The authority for this decision is contained in 43 CFR 2932, Special Recreation Permits for Commercial Use, Competitive Events, Organized Groups, and Recreation Use in Special Areas and the Federal Land Policy and Management Act (FLPMA) of 1976.

Compliance and Monitoring: BLM conducts regular monitoring of commercial SRPs and is aware of resource conditions and potential for user conflicts in some parts of the field office area. The proposed use would be minimal when compared to other casual use hunting of public lands, however, BLM would continue to monitor for potential user conflicts by requiring itineraries in advance of planned commercial hunts. Permittees must allow the BLM to accompany tours for monitoring purposes.

Terms / Conditions / Stipulations: The following conditions that apply to this decision stem from the Proposed Action as documented in the Interdisciplinary Team Checklist and the environmental assessment. The terms and stipulation that will apply to these permits can be found in Section 2.21 of the environmental assessment.

PLAN CONFORMANCE AND CONSISTENCY:

The proposed action has been determined to be in conformance with the terms and conditions of the Monticello Resource Management Plan (October, 2008) as required by 43 CFR 1610.5.

Monticello's RMP states the following:

- **REC-17** "Special Recreation Permits will be issued as a discretionary action as a means to help meet management objectives, contact visitor use, protect recreational and natural resources and provide for the health and safety of visitors." (page 91)
- **REC-18** "All SRPs will be contain standard stipulations appropriate for the type of activity and may include additional stipulations necessary to protect lands or resources, reduce user conflicts, or minimize health and safety concerns. (page 91)
- **REC-149** "Within the ERMA, dispersed vehicle camping is allowed only in previously disturbed areas within 150 feet of designated routes (on each side of a centerline). If use is such that undue environmental impacts are taking place, BLM will close and rehabilitate damaged areas." (page 112)

The action is consistent with the Master Plan for San Juan County, as outlined below. San Juan County's Master Plan (July, 2013) identifies recreation and tourism as an economic opportunity. The plan calls for working to promote recreation and tourism within the county.

Alternatives Considered:

An action alternative that considered existing and projected use was analyzed in the EA. A No Action Alternative to deny Special Recreation Permits for commercial hunting tours was also considered.

RATIONALE FOR DECISION:

It is my decision to approve the Special Recreation Permits and issue the following applicants permits for outfitting and guiding:

- Mossback Guides – 1 client per trip, 12 estimated trips per year = 12 client days
- High Desert Wild Sheep Guides – Maximum 6 clients per trip, 3 estimated trips per year = 18 client days
- Elite Outfitters – Maximum 6 clients per trip, 4 estimated trips per year = 24 client days
- Adam Bronson Outfitting - 1-2 clients per year for 1 day trip, based on email correspondence = 2 client days

The decision is in conformance with 2008 RMP/ROD. This decision is contingent upon satisfying the numerous stipulations and monitoring requirements. The no action alternative was not selected because it would not meet the needs of the applicants and no issues were identified that could not be mitigated with stipulations and conditions of approval.

PROTEST/APPEAL LANGUAGE:

This decision to issue these SRPs shall take effect immediately upon the date it is signed by the authorized officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay. Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a notice of appeal must be filed in the office of the authorized officer at Monticello Field Office, P.O. Box 7, Monticello, UT 84535.

If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the authorized officer.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
 - (2) The likelihood of the appellant's success on the merits,
 - (3) The likelihood of irreparable harm to the appellant or resources if the stay is not granted,
- and

(4) Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the authorized officer.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Regional Solicitor, U.S. Department of the Interior, 6201 Federal Building, 125 South State Street, Salt Lake City, Utah 84138-1180, not later than 15 days after filing the document with the authorized officer and/or IBLA.

S/Donald K. Hoffheins

8/29/14

Donald K. Hoffheins, Field Manager

Date